

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this form and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

Mail completed documents to:

California Integrated Waste Management Board  
Office of Local Assistance, (MS 25)  
1001 I Street  
PO Box 4025  
Sacramento CA 95812-4025

### General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

<b>Section I: Jurisdiction Information and Certification</b>			
<i>All respondents must complete this section.</i>			
I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:			
Jurisdiction Name Clayton		County Contra Costa	
Authorized Signature Gary A. Napper		Title City Manager	
Type/Print Name of Person Signing Gary A. Napper	Date October 24, 2002	Phone (925) 673-7300	
Person Completing This Form (please print or type) Mark White		Title Principal	
Phone - (916)387-9777	E-mail Address mark@pwcg.net	Fax (916)387-9802	
Mailing Address 5714 Folsom Blvd., #240	City Sacramento	State CA	ZIP Code 95819

## Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

### 1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

### 2. Specific Request and Length of Request

Please specify the request desired.

☐ Time Extension Request

Specific years requested \_

Is this a second request? ☐ No ☐ Yes Specific years requested. \_  
(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☒ Alternative Diversion Requirement Request (*Not allowed for Regional Agencies*).

Specific ADR requested \_40\_%, for the years \_2003 and 2004\_.

Is this a second ADR request? ☒ No ☐ Yes Specific ADR requested \_% , for the years \_

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

**Note:** Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

### **Section IIIA—TIME EXTENSION**

**Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.**

*Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).*

- 1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.**
- 2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.**
- 3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.**
- 4. Provide any additional relevant information that supports the request.**

## **Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT**

**Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.**

*Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).*

**1. Why does your jurisdiction need and Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.**

The main reason Clayton needs an ADR is time is necessary to prepare a request for new Base-Year. The Base-Year used with the CIWMB-adjustment method for calculating our diversion rate is outdated and inaccurate. Programs that have been included in our request are extensions of our existing program as well as new efforts.

The programs Clayton implemented were expected to achieve the 50 percent diversion mandate. However, given the unusual character of the community, the programs alone have not been sufficient for the following reasons. These are critical barriers to meeting the 50 percent mandate.

1. The city is 85 percent residential with only a very small and limited commercial sector. Since commercial waste stream has more divertible materials in it (e.g., 39 percent paper compared to 27 percent for residential), diversion is more easily achieved in jurisdictions having large commercial sectors.
2. The lack of commercial waste customers also reduces the potential revenue stream to the program as most communities have higher rates for commercial than residential.
3. The nature of the commercial accounts has also limited the diversion potential. We have small, "mom and pop" businesses that often recycle extensively, but may not produce the large amount of recyclables a major department store.
4. The city has limited staff resources and each of the staff is dedicated to more than one service program. There are only five people in the entire administrative staff for this city of 11,000! They handle all of the duties including planning, finance, city clerk, administration, and special programs like NPDES and AB939.
5. The City has not had either the personnel resources or the financial resources to devote to the diversion programs, yet there is now a new city manager very interested in achieving Clayton's AB939 performance.
6. We have had residential diversion programs for many years and do not consider the lack of programs is a major impediment. For example, the materials accepted in the residential curbside program has expanded since its start and the frequency of collection service has expanded from every two weeks to weekly.
7. Our City does not appear to be within the range of parameters where the adjustment method is valid due to our small population and to the predominant residential nature of the community. For example, the CIWMB has developed a set of indicators that show whether a community's diversion is likely to be adequately measured by the adjustment method. Of the 13 indicators that have a threshold, the city is outside the threshold for 11 of them! Our base year is over 10 years old.

The chief compliance barrier remains our lack of an adequate Base-Year. The City intends to investigate preparing a request for new Base-Year to replace the one submitted prior to the moratorium on consideration of new Base-Years.

The Attachement to this application provides more details on programs and the diversion expected.

**2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?**

One of the key activities needed is the revision of our Base-Year. Preparation of the documentation and review of the request by the CIWMB can take one year. We need the Alternative Diversion Requirement to allow time to prepare that request and to adjust if it takes longer than expected.

The programs we have identified will take some time to be fully implemented as will the outreach efforts. Citizens need consistent and constant education about the opportunities to recycle and the need for the program. The time we have requested will allow for both the implementation and follow up outreach.

The City's recent tiered rate increase and single-stream recycling program needs to be in place for sufficient time to evaluate whether it encouraged sufficient additional recycling. If necessary, the rates for the larger size residential containers will be increased again, per City Council statements. The lack of an adequate Base-Year is still the major factor that contributes to the need for a time extension. It simply takes time, particularly in small city, to prepare documentation for the Base-Year request.

### **3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.**

The PARIS forms that are attached summarize the City's efforts to implement the programs over the last six years. Those forms show that the City has implemented all of the programs listed in its SRRE, except two. Those programs were a composting facility and the use of biomass. We do not have the land within the city limits for a composting facility so have had to rely on Contra Costa County and others to implement a facility. To date, no other parties have implemented a facility. When one is operational, we will use it. The Biomass facility is not an alternative that we have needed as we have other diversion related uses for the material that could be processed in a biomass facility.

In addition to those efforts, the City has enacted the following actions to strengthen its programs:

1. Changed recycling contractors in February 2002 (the contract with the former firm was cancelled early) to get better service, more items collected (plastics #4 to #7 were added), enhanced education and outreach programs, and better data keeping and reporting. This change has resulted in major improvements to the solid waste management program. Now all of the waste-related services are provided by one company, which makes communication with the customer more effective.
2. Adopted modified volume-based rates in May 2002 to be effective on July 1, 2002. The City Council took the action in the face of several years of minimal rate changes and a rate system that rewarded the larger generators. It was expected to increase recycling, and early implementation data is proving it so.
3. Expanded the twice per year on-call residential bulky recycling collection to four times per year, at no cost to the rate payer. The materials accepted include green waste and cardboard (amounts greater than collected in our weekly curbside program). This is in addition to retaining the twice per year allowable calls for bulky item collections.
4. Worked closely with the multi-family dwelling managers to increase recycling. As this facility is housing for developmentally disabled adults, the recycling performance is even more impressive. The program will be implemented in the new 86-unit senior assisted-living housing due to be occupied in the winter 2002.
5. Green waste collection was expanded to provide more frequent collection resulting in greatly expanded diversion.

### **4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.**

The City recognizes that the new Base-Year may resolve many of the problems with the inadequate diversion rate and plans to document a new Base-Year. However, it is proposing to adopt several additional programs that will expand the current residential diversion efforts and expand the commercial programs.

The City had submitted a request for new Base-Year, but the CIWMB moratorium on considering new Base-Years prevented our request from being heard. When the requests were considered, there were many changes to the CIWMB policies about new Base-Years and the city was placed in a position of redoing the entire document and discarding the costly work that had been done. At that time, we did not have the budget to proceed.

## Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		Non-residential %			
<b>PROGRAM TYPE</b> Please use the Board's Program Types. The Program Glossary is online at: <a href="http://www.cjwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm">www.cjwmb.ca.gov/LGCentral/PARIS/Codes/Reduce.htm</a>	<b>NEW or EXPAND</b>	<b>DESCRIPTION OF PROGRAM</b>	<b>FUNDING SOURCE</b>	<b>DATE FULLY COMPLETED</b>	<b>ESTIMATED PERCENT DIVERSION</b>
		Total Estimated Diversion Percent From New and/or Expanded Programs			
		Current Diversion Rate Percent From Latest Annual Report			
		Total Planned Diversion Percent Estimated			

## PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

## Section IV B—GOAL ACHIEVEMENT

**Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.**

*Attach additional sheets if necessary.*

Residential %		85	Non-residential %		15
PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
Please use the Board's Program Types. The Program Glossary is online at: <a href="http://www.ciwmb.ca.gov/LG/Central/PARIS/Codes/Reduce.htm">www.ciwmb.ca.gov/LG/Central/PARIS/Codes/Reduce.htm</a>					
2000-RC-CRB	Expand	Single stream residential curbside. This program will expand from the current use of one 18-gallon container once per week to one 64-gallon container once per week. The combination of the increased capacity and taking all materials in one container is expected to expand the amount of recycling from the residential program by 30%. Tables are included in the Attachment to illustrate the expected increase in recycling (through comparison to the City's green waste program and to Benicia's single stream program.	Rates	January 2003	10
7040-FR-ADC	Expand	Green waste and wood waste separation and processing at the Martinez Transfer Station and the Pittsburg Transfer Station.	Rates	September 2001	1
2050-RC-SCH	Expand	Public school recycling will be enhanced from the current program at one school to expanded materials at that school and institution of a new program at the other of the two schools in the city. In addition PHBD will provide materials to the teaching staff for educational programs for the students. Added a composting project within regional public schools.	Rates	December 2002	0.1
2060-RC-GOV	New	Public parks recycling. This program will be operated in the parks during the season that they can be reserved (which is the period of greatest use) to obtain the maximum recycling at the most reasonable cost.	Rates, Grant	December 2002	0.1
6010-PI-EIN	Expand	Adopted semi-volume based rates for both commercial and residential customers.	Rates	May 2002	3
6020-PI-ORD	New	C&D Ordinance focused on remodeling for both commercial and residential projects greater than a minimum size.	City Budget	June 2003	1
Total Estimated Diversion Percent From New and/or Expanded Programs					15.4
Current Diversion Rate Percent From Latest Annual Report					25
Total Planned Diversion Percent Estimated					40

## PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
Base year	New	Prepare request for new Base-Year	December 2003
Audits	Expand	Commercial waste audits and outreach	December 2002
Outreach	Expand	<p>Increased outreach for residential recycling through the addition of recycling information on the City's web page, more contact with new customers and E-waste education to highlight collection of these materials at the curb. Increased outreach for the implementation of the single stream recyclable collection program. E-Waste recycling outreach materials will be distributed starting in the fall, 2002.</p> <p>Green building guide for new residential construction and remodeling will be distributed by January 2003.</p> <p>The local unified school board adopted a resolution supporting recycling programs in the schools and facilities at their August Board meeting. A new policy is expected to be in effect by October 2002 district-wide in allowing local haulers and cities to work with schools on recycling efforts and educational programs.</p>	July 2003



# **Attachment to the SB 1066 Application** **For the City of Clayton**

## **Section IV B — GOAL ACHEIVEMENT** **Additional programs**

Program Type	New or Expanded	Description of Program	Funding Source	Date Fully Completed	Estimated Percent Diversion
2080-RC-SPE	New	Festival recycling will be accomplished by joint action of the City staff through the event permitting process and PHBD through their working closely with festival organizers to encourage recycling.6020-PI-ORD	Rates	May 02	0.1%
2030-RC-OSP	Expanded	Recycling at multi-family dwellings. See the comment in Section 3 that discusses the increase in recycling tonnage. There are two facilities in town. The first has been in the program for some time. The second will be added when it opens in the winter of 2002.	Rates	June 03	0.1%
2000-RC-CRB	Expanded	The free on-call collection of green waste and recyclables has been increased from two times per year to four times per year; this expansion is in addition to the twice per year calls allowed for bulky item collections.	Rates	Sept 02	0.01

## **Section V – PARIS**

**Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.**

*Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at [www.ciwmb.ca.gov/LGCentral/PARIS/](http://www.ciwmb.ca.gov/LGCentral/PARIS/).*